

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:20-cr-00087-MR-WCM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS JOHN DULL,

Defendant.

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ORDER

THIS MATTER is before the Court upon the Defendant's Motion to Terminate Defendant's Remaining Supervised Release Term [Doc. 4].

In September 2014, the Defendant was convicted in the Western District of Virginia of one count of conspiracy to possess with intent to distribute cocaine base and cocaine, in in violation of 21 U.S.C. §§ 841(b)(1)(C) and 846. [Doc. 1-2]. He was sentenced to a term of 92 months of imprisonment and three years of supervised release. [Id.]. The Defendant's term of supervised release commenced in April 2020. In August 2020, jurisdiction was transferred to this Court. [Doc. 1].

The Defendant now moves the Court to exercise its discretion and terminate his term of supervised release pursuant to 18 U.S.C. § 3583(e)(1). [Doc. 4].

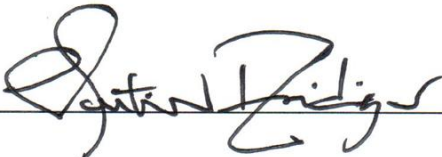
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). Upon consultation with the Defendant's supervising probation officer, the Court is not satisfied that termination is warranted under the circumstances. The Defendant has a history of marijuana use while on supervised release, as well as a history of non-compliance with the conditions of supervision. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release at this time.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's Motion to Terminate Defendant's Remaining Supervised Release Term [Doc. 4] is **DENIED**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: June 22, 2022



Martin Reidinger
Chief United States District Judge

